

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF PHYSICAL THERAPY
EXAMINERS

IN THE MATTER OF THE
SUSPENSION OR REVOCATION OF
THE LICENSE OF

JANET CUMBERLAND, P.T.
LICENSE NO. 40QA00108400

TO PRACTICE PHYSICAL THERAPY
IN THE STATE OF NEW JERSEY

Administrative Action

FINAL ORDER
OF DISCIPLINE

This matter came before the New Jersey State Board of Physical Therapy Examiners upon information that the respondent has failed to complete a total of thirty (30) credits of continuing education in approved physical therapy courses during the period of February 1, 2010 through January 31, 2012, as required for the 2012-2014 biennial license renewal pursuant to N.J.S.A. 45:9-37.18 (a) 10 and N.J.A.C. 13:39A-9.1 et. seq. Based upon information received and which the Board has reviewed, the following preliminary findings are made:

FINDINGS OF FACT

1. Respondent is a physical therapist in the State of New Jersey and has been a licensee at all times relevant hereto.

2. On December 14, 2011 the respondent submitted her completed application for renewal of license as a physical therapist in the State of New Jersey.

3. On her application, the respondent responded "yes" to the question of "Will you have completed the required continuing education (CE) by January 31st, 2012?"

4. On May 9, 2012, in connection with a random audit of licensees pursuant to N.J.A.C. 13:39A-9.4, the Board sent a letter to respondent requesting verification of CE credits obtained for the 2012-2014 renewal period. As a result of this inquiry the Board identified that Ms. Cumberland had only obtained 10 continuing education credits during the requisite time period of February 1, 2010 through January 31, 2012. The Board also discovered that 6 credits were taken after January 31, 2012. The Board applied these 6 credits to the 20 credit deficiency notwithstanding the fact that they were obtained after January 31, 2012.

CONCLUSIONS OF LAW

Respondent has not satisfied the requirements of N.J.S.A. 45:9-37.18 (a) 10 and N.J.A.C. 13:39A-9.1 et. seq. with regard to the completion of the appropriate number of approved continuing education credit hours and is therefore subject to sanctions pursuant to N.J.S.A. 45:1-21(h), failure to comply with the provisions of an

act or regulation administered by the Board, which constitutes grounds for suspension or revocation of any certificate, registration or license, and grounds for sanction pursuant to N.J.S.A. 45:1-25.

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline ("POD") was entered on February 7, 2013 and served upon the Respondent at the last known address by regular and certified mail.

The POD was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless Respondent requested a modification or dismissal of the stated Findings of Facts and Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting Respondent's request for consideration and reasons therefor.

On March 1, 2013 a money order in the amount of \$500 was received in full payment of the penalty imposed in the POD. The correspondence also reflected that the Respondent completed all outstanding continuing education credits.

THEREFORE, It is on this 19th DAY OF November, 2014

ORDERED that:

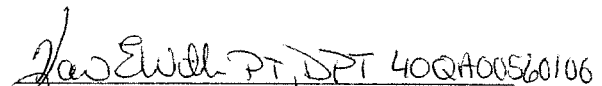
1. Respondent paid the civil penalty of five hundred dollars (\$500.00) in full.

2. Respondent submitted proof of having completed the 14 outstanding credits thus satisfying the requisite thirty (30) hours of continuing education credits within sixty (60) days of the date of the receipt of the Final Order. These continuing education credits are NOT to be used to renew respondent's license for the 2014-2016 renewal period.

3. The terms and conditions of the POD are fully satisfied. This matter is completed and the Respondent's license remains active.

NEW JERSEY STATE BOARD
OF PHYSICAL THERAPY EXAMINERS

By:


Karen Wilk, P.T., D.P.T. 40QA00560106
Chair

Via Certified and Regular Mail
CM: RRR